

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<b>MARIA ARENAS, individually,</b>	:	
	:	
<b>Plaintiff,</b>	:	
	:	
v.	:	<b>CIVIL ACTION FILE NO.</b>
	:	<b>55:16-cv-1203</b>
<b>JOHN CALHOUN,</b>	:	
	:	
<b>Defendant.</b>	:	

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**DEFENDANT’S PRETRIAL DISCLOSURES**

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COMES NOW John Calhoun, the Defendant in the above-styled case, and, pursuant to the Federal Rules of Civil Procedure 26(a)(3), hereby files these pretrial disclosures.

**I. WITNESSES**

**A. Will-Call Witnesses**

Officer John Calhoun  
C/o Ellen Cusimano, the undersigned counsel

Daniel B. Vasquez (expert witness)  
P.O. Box 3915  
Antioch, CA 94531-3915  
(925) 777-9394

Carol A. Terry, M.D. (expert witness)  
363 Swanson Dr.  
Lawrenceville, GA 30043  
(770) 995-5558

**B. May-Call Witnesses**

Officer Mark Shelby  
Officer Marvin Dickson  
Officer Adam Haas  
Warden Stanley Williams  
Officer Mary Roach (control room officer)

Unknown officer who placed Tavera in lockdown  
Medical personnel in the medical records disclosed to Plaintiff  
Any individual mentioned in the incident report disclosed to Plaintiff  
30(b)(6) Designees for GDOC  
Custodians of GDOC records  
C/o Ellen Cusimano, the undersigned counsel

Defendant anticipates that all of the foregoing “may-call” witnesses will testify via a video deposition. Defendant will supplement the page and line designation for their depositions, as they have not yet been taken.

Defendant reserves the right to call any current and former employee of GDOC with information relevant to the case, as discovery progresses.

## II. EVIDENCE

The following is a list of Defendant’s proposed exhibits

1. Video recording of the dormitory
2. Two handheld video recordings of the incident
3. Map/layout of Smith State Prison
4. Incident Report
5. Witness statements from the incident report
6. Internal Investigations file
7. Autopsy of Richard Tavera
8. Medical Records of Richard Tavera
9. Record of Officer Calhoun’s cell checks
10. EMS records
11. Expert report and CV of Dan Vasquez
12. Export report and CV of Dr. Terry

Respectfully submitted this 31st day of October, 2017.

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Attorney General

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Deputy Attorney General

ROGER A. CHALMERS                      118720  
Senior Assistant Attorney General

/s/ Ellen Cusimano  
ELLEN CUSIMANO                      844964  
Assistant Attorney General  
*Pro Hac Vice*

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 31, 2017, I electronically filed the foregoing  
**DEFENDANT'S PRETRIAL DISCLOSURES** with the Clerk of Court, using the CM/ECF  
system, which will automatically send email notification of such filing to the attorneys of record.

*/s/ Ellen Cusimano* \_\_\_\_\_  
Ellen Cusimano  
*Pro Hac Vice*